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Congress of the United States

House of Representatives

Washington, DC 20515-3005

April 14, 2019

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The Honorable Philip D. Murphy
Office of the Governor
PO Box 001
Trenton, NJ 08625

Dear Governor Murphy:

As you know, I have been working closely with Vernon residents and leaders Mayor Shortway, Senator Oroho and Assemblymen Space and Wirths in response to illegal dumping, largely from out of state, at the Waste Mountain at 3 Silver Spruce Drive in Vernon. I have personally visited the site multiple times since July 2018, and have seen first-hand the impact the waste site has had on the community. A few months ago, the New Jersey Department of Environmental Protection (DEP) found elevated levels of lead in the soil, raising immediate concerns about the impact on the community's well water and on the Highlands, a pristine and environmentally protected area of our state.

Following a visit to the site by Environment Protection Agency (EPA) Regional Administrator Pete Lopez and DEP Commissioner Catherine McCabe, I was encouraged to learn the DEP would be testing the entire Waste Mountain and would work through the state courts to cease dumping and bring the property owner to justice.

Two weeks ago, I asked the DEP for an update on testing that the DEP promised at 3 Silver Spruce Drive. During the conversation on April 9, 2019, I was specifically told that exceedances of certain chemicals had been discovered during standard soil testing, but that there was no cause for immediate alarm. In fact, my concerns were dismissed by the DEP and the Deputy Commissioner during that call. Imagine my surprise to learn from an article written in yesterday's *Star Ledger* that carcinogens were found in the Waste Mountain. Specifically, per the article:

"Samples taken from the pile by the New Jersey Department of Environmental Protection were found to contain polycyclic aromatic hydrocarbons (PAHs,) polychlorinated biphenyls (PCBs) and the pesticide chemical chlordane all at levels above the state's standard for residential soil. PAHs are classified as probable human carcinogens, according to the Centers for Disease Control and Prevention. PCBs are also linked cancer, according to the U.S. Environmental Protection Agency, as well as pregnancy complications and other health effects. Exposure to chlordane, according to the CDC, can have a variety of effects on the human nervous system."

We did not receive a single briefing from the DEP or other state agencies when they discovered these carcinogens. I was also told by the Deputy Commissioner that the owner, Joe Wallace, would not be responsible for testing and that it would take at least four months to receive his report, before we could take

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further action. This is obviously unacceptable and a contradiction from what the DEP told us. My constituents are additionally alarmed about these new findings and are now asking whether their children and families are safe.

First, it is with this in mind, that I would like to request an immediate briefing by the NJ DEP, open to Vernon residents and elected officials, so that they can hear first-hand from experts on the potential impacts of these chemicals on their health. Second, I am asking for further sampling to be taken, at all levels of the Waste Mountain. Finally, I respectfully ask that your office conduct an immediate investigation in to the process that the NJ DEP uses when testing and classifying sites, including which chemicals are being tested for exactly, and the process by which DEP reports this information to the public.

The fact that I had a call with the DEP earlier this week and did not receive complete and full information about these new dangers, begs the question of whether all information about health and safety risks has been divulged to residents impacted. The information we received from the DEP concurrent with the press reports was not written in an easily digestible manner.

For too long, the issue of illegal dumping in Sussex and Warren counties has been largely ignored by Trenton. However, the potential health impacts on the lives of residents are too important to be ignored. I look forward to working closely with you on this important matter.

Sincerely,



Josh Gottheimer
MEMBER OF CONGRESS

cc:

Attorney General Gurbir Grewal
NJ DEP Commissioner Catherine McCabe
Senator Steve Oroho
Assemblyman Parker Space
Assemblyman Hal Wirths
Mayor Harry Shortway